IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal (L) No.552 of 2007
In
Writ Petition No.806 of 2007
And
Notice of Motion No.2281 of 2007
In
Appeal (L) No.552 of 2007
In
Writ Petition No.806 of 2007

Amy Joseph Misquita & Anr. .. Appellants

Vs.

Airports Authority of India
& Others. .. Respondents

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S/Shri D.D.Madon, Senior Advocate, with Birendra Saraf, Advocate i/b M/s.Shirodkar & Co. for the appellants.

Shri Milind Vasudeo i/b Bhaishankar & Kanga & Co. for the respondent No.1.

Ms Geeta Shastri, AGP for the respondent No.5.

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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 25TH JUNE, 2007

P.C.

1. Heard. Taking into consideration the facts and circumstances of the case, there is no substance in the appeal and the same is liable to be rejected except that it would be necessary to clarify that the

City Civil Court while disposing the appeal should not get in any manner influenced by the pendency of the proceedings in the Writ Petition No.806 of 2007 as also by any of the observations and/or findings arrived at by the revenue authorities including the appellate authority in the course of dealing with the matters relating to the mutation entry pertaining to the property in question. Considering the same, the notice of motion for condonation of delay in filing the present appeal as well as the appeal is liable to be dismissed, subject to the above stated observations.

2. The City Civil Court therefore shall endeavour to dispose of the appeal as early as possible and possibly by 14th August, 2007, after hearing the parties and without being influenced by the pendency of the Writ Petition No.806 of 2007 and the observations and/or the findings arrived at by the revenue authorities, as stated above.

3. With these observations, the appeal and the notice of motion stand disposed of.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)